

8 May 1986

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ARTICLE APPEARED
ON PAGE 18

U.S. Agency Mulls Suggestion of Probe Of 5 Publications

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By ANDY PASZTORA
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WASHINGTON—Justice Department officials said they are considering suggestions from Central Intelligence Agency chief William Casey that the Washington Post and several other publications be prosecuted for disclosing sensitive information about U.S. intelligence operations.

Administration officials confirmed that Mr. Casey met with Deputy Attorney General D. Lowell Jensen recently to discuss a possible criminal investigation of the Post, the New York Times, the Washington Times and Time and Newsweek magazines. Justice Department officials, however, stressed that the agency hasn't opened a formal investigation, and that lower-level prosecutors don't appear inclined to go along with Mr. Casey's suggestions.

A final decision is expected to take at least several weeks. Officials said Attorney General Edwin Meese, a longtime friend of the CIA director, hasn't indicated what he wants to do.

A spokeswoman for the CIA declined to comment.

Mr. Casey's complaints to prosecutors appear to be part of a long-running feud between the Post and the CIA chief over what the agency contends is the newspaper's publication of sensitive information about U.S. code-breaking abilities involving Libya.

Post Article

The dispute may be coming to a head because of efforts by Mr. Casey to prevent the Post from printing another article dealing with U.S. intelligence capabilities. One administration official speculated that the move may be a negotiating tactic by the CIA director.

In yesterday's editions, the Post carried a front-page story that quoted Mr. Casey telling two of the paper's top editors at a meeting last Friday that if they publish the story, criminal prosecution would be "an alternative that would have to be considered."

According to the story, Mr. Casey told the editors, "I'm not threatening you. But you've got to know that if you publish this, I would recommend that you be prosecuted under the intelligence statute."

In the past, Mr. Meese told reporters he didn't favor federal prosecution or other unilateral federal action to inhibit the freedom of the press, and some of his aides have encouraged him to avoid such a strat-

egy. But Mr. Casey for some time has been lobbying within the administration for stronger action to prevent what he considers dangerous leaks or publication of sensitive intelligence material.

A spokesman for the Washington Post declined to comment on the information in question or to discuss details of the still-unpublished story.

Publications' Reaction

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In New York, Henry Grunwald, editor in chief of Time Inc., said in a statement that "despite a specific request from us, the CIA has refused to state which articles published in Time may have violated the law. It is irresponsible to talk about the possibility of prosecuting Time and other news organizations without telling us what we may be prosecuted for. . . ."

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A.M. Rosenthal, executive editor of the New York Times, said, "We haven't received any information, or any approach" from the Justice Department or any other federal agency on the matter.

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Wesley Pruden, managing editor of the Washington Times, said that his newspaper also hasn't been notified of any potential prosecution and that he didn't "anticipate anyone is going to be prosecuted."

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Maynard Parker, editor of Newsweek, said, "As far as we know, we haven't broken any laws."